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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,999	03/19/2004	Miki Takahashi	Q80517	6919
23373	7590	06/01/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			LEE, SIN J	
			ART UNIT	PAPER NUMBER
			1752	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,999

Applicant(s)

TAKAHASHI ET AL.

Examiner

Sin J. Lee

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 2-5 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/19/04, 5/5/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

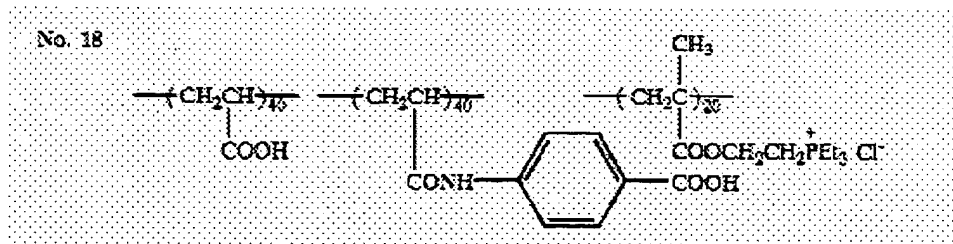
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6-17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawauchi (US 6,440,633 B1).

Kawauchi teaches (col.3, lines 1-15) a planographic printing original plate, which comprises (i) an intermediate layer which contains a polymer including a monomer unit having an acid group and a monomer unit having an onium group, and (ii) a photosensitive layer comprised of a positive-type photosensitive composition for an infrared laser, which contains (A) a least an alkali-soluble polymeric compound and (C) a compound which generates heat by absorbing light, the intermediate layer and the photosensitive layer being formed sequentially on a support which has been subjected to a hydrophilizing treatment.

As one of specific examples for this polymer for the intermediate layer, Kawauchi discloses the following polymer having the molecular weight of 600 (see col.15):



Therefore, Kawauchi teaches present polymer of the formula (I) (present Y is -CO- (a connecting group connected with a main chain of the polymer), present R^1 is a H atom, and present R^2 is a phenylene group (a divalent hydrocarbon group)). Therefore, the prior art teaches present inventions of claims 1, 6-10, 12, and 14.

With respect to present claim 11, Kawauchi's intermediate-layer contains his polymer for the intermediate-layer and solvents such as methanol and water (see col.45, lines 7-34). Therefore, Kawauchi teaches the present content (100%) of the polymer in the intermediate layer by mass based on a total solid content constituting the intermediate layer. Thus, the prior art teaches present invention of claim 11.

With respect to present claim 13, Kawauchi teaches (col.27, lines 34-36) that the proper coated amount after drying of the coating solution for his intermediate layer is in the range of $1\text{-}100\text{ mg/m}^2$ in total. Thus, the prior art teaches present invention of claim 13.

With respect to present claim 15, Kawauchi teaches (col.27, lines 50-59) that the alkali-soluble polymer for his photosensitive layer includes a functional group such as a phenolic hydroxyl group or a sulfonamide group. Thus, the prior art teaches present invention of claim 15.

With respect to present claims 16 and 17, Kawauchi uses a cyanine dye B (which structure is shown in col.35, lines 27-35) in his photosensitive layer as the compound which generates heat by absorbing light (see col.45, lines 45-60). Thus, the prior art teaches present inventions of claims 16 and 17.

With respect to present claim 19, Kawauchi states (col.39, lines 64-67) that examples of the hydrophilizing surface treatment for his support material include a treatment of the surface with an aqueous solution of an alkali metal silicate. Therefore, the prior art teaches present invention of claim 19.

Allowable Subject Matter

3. Claims 2-5 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Kawauchi does not teach or suggest present R¹ group of claims 2 and 3. Kawauchi does not teach or suggest present structure of the formula (I-a) of claim 4 or present structure of the formula (I-b) of claim 5. Kawauchi does not teach or suggest present multilayer structure for the photosensitive layer as required in present claim 18.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

S. Lee

S. Lee
May 29, 2005

Sin J. Lee

SIN LEE
PRIMARY EXAMINER